

Application Serial No. 10/628,908
Reply to Office Action of May 4, 2007

NOV 01 2007

PATENT
Docket: CU-5972

REMARKS

In the Office Action, dated May 4, 2007, the Examiner states that Claims 1, 2 and 7-14 are pending, Claims 1, 2 and 7-14 are rejected. By the present Amendment, Applicant amends the claims.

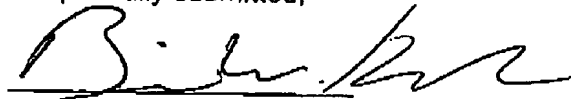
In the Office Action, Claims 1, 2, 7, 9, 11 and 13 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement, with regard to the feature in Claim 1 that the difference in breaking stain between the volume hologram layer and the heat sensitive layer is 8% or less. To overcome this rejection, the Applicant has amended Claim 1 to specify that the difference is 7.5% or less, which is disclosed in Example 2 in the description.

In the Office Action, Claim 1, 2 and 7-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Otaki et al. (US 2004/0253521) in view of Killey (US 5,342,672). The Applicant respectfully disagrees with and traverses this rejection.

The Applicant considers that Otaki is an improper prior art reference. The present application claims priority to Japanese Patent Appln. No. 2002-217432 filed on July 26, 2002. Otaki was subsequently filed in the US on June 10, 2003, without claiming priority to a prior filed application. Therefore, it is submitted that the invention of the present application is prior to the invention of Otaki.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

November 1, 2007

Date

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